

Unto his Grace, His Majesties high Commissioner, and the Honourable Estates of Parliament,

The PETITION of

John Spotswood Grand-child to Sir Robert Spotswood of Newabbay, sometime President of the Colledge of Justice, and thereafter Secretary of State to King Charles the first.

Humbly sheweth,

THat where my said Grand-father having lawfully acquired in the year 1624 the Barony of *Newabbay*, and continued in the Possession thereof till the year 1634; It pleased King *Charles* the first at that time to enter into an Agreement with my said Grand-father for the foresaid Barony, whereby for the price promised of 3000 *lib. ster.* my Grand-father was obliged to resign, and *de facto* resigned the foresaid Barony to be provided to the Bishop of *Edinburgh*, then newly Erected, and his Successors, and accordingly the Bishop of *Edinburgh* possessed the said Barony to the year 1638, that the Bishops were turn'd out, and then the Committee of Estates continued to possess till the year 1641: At which time King *Charles* the first acknowledging, that his part of the foresaid Agreement for payment of the three thousand pounds *ster.* was never performed, and that Sir *Robert* had never received payment nor satisfaction of the price of the Lands resigned, did therefore by a new Signature repon Sir *Robert* to his Lands of *Newabbay*, re-disponing the same to him in ample form, and the writs were mutually interchanged, Sir *Robert* giving back and delivering up the foresaid Agreement for the 3000 *lib. ster.* and getting back with the said Signature his antient Rights of the Lands, which are to this day in the hands and custody of your Petitioner; But the Troubles ensuing, wherein it is well known how deeply the said Sir *Robert* my Grand-father was involved, the matter lay over until the year 1660 that Mr. *Alexander Spotswood* my Father, and Son to the said Sir *Robert* my Grand-father, procured a new Signatur from King *Charles* the 2d. narrating the grounds above-deduced, and re-disponing to him the Lands *de novo*; by vertue whereof, he also possessed them, both for Bygones resting by the Tennents, until the year 1662. that the Bishops were restored, with an expresse Declaration, in the Act of Parliament made for that effect, that they should have their Claim, Right, and Possession to whatsoever was possessed by them, or was due to their Predecessors in the year 1637, any Act, Deed, or Gift interveening, notwithstanding, and to this Clause of the Act of restitution, my Father Mr. *Alexander* did quietly acquiesce upon Promise made to him by His Majestie, that he should get either payment of the foresaid 3000 Pound *sterling* of Price, or Lands equivalent. And so the Bishop of *Edinburgh* did again re-enter to the Possession: but neither was the said Sum of 3000 *lib. sterling* payed, nor any part of far greater Sums that were due by King *Charles* the 1st. to my Grand-father: And therefore my Father Mr. *Alexander* was at length resolved to have prosecute his Right, and reclaimed the foresaid Barony, as truly pertaining to him, and that could not in Justice be detained from him, unless the foresaid 3000 *lib. sterling* of Price had been payed conform to Agreement: but Mr. *Alexander* being prevented by death and leaving me his Son an Infant, his most just Claim is fallen and belongs to me; As to which both the Loss that I have suffered, and the undoubted Right that I have, cannot but be obvious to all the Members of this High and Honourable Court of Parliament: And seeing that I am ready and instantly willing to instruct my Grand-fathers Original Right in the year 1624 together with the said Agreement and Signatur of Restitution granted to him in the year 1641. with the foresaid other Signatur renewed to my Father, in the year 1660- And that nothing stands in the way, save the foresaid Act of Parliament, 1662. which could never have past to my Fathers prejudice, if he had made the least Opposition, and had not rested on His Majesties Sacred Promise, that either he should have the Price payed, or get an equivalent: and lastly, seeing, by the late happy Revolution, the Bishops Lands and Estates, and among them, the foresaid Lands of *Newabbay* are returned to His Majesties hands, and are at His free Gift and Disposal,

May it therefore please your Grace and Lordships, in Consideration of the Premises, which I am instantly ready to instruct, and of the undeniable Justice thereof, to declare that the foresaid Clause in the Act of Parliament, 1662. Restoring Bishops, could not have prejudged my Father, either of his ancient Right or of his new Signatures, whereby he was restored to his Father Sir *Robert's* Right to *Newabbay*; And that therefore the Price not being payed, the foresaid Lands and Barony do still pertain to me, as coming in the Place of my Grand-father, and for the better expeding and re-establishing of my said Right, to recommend me effectually to His Majestie, and the Commissioners of the Theasurie and Exchequer, for passing a new Signatur of the said Lands in my Favours, and for reponing me to the present Possession of the said Lands and Barony, conform to my foresaid undoubted Right: according to Justice.

And your Grace and Lordships Petitioner shall ever pray.

Petition for
John Spotswood

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